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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,644	01/20/2004	Samuel G. Gilliss	33761/US	3337

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INTELLECTUAL PROPERTY DEPARTMENT  
370 SEVENTEENTH STREET  
SUITE 4700  
DENVER, CO 80202-5647

EXAMINER

TRIEU, VAN THANH

ART UNIT PAPER NUMBER

2636

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/761,644

Applicant(s)

GILLISS, SAMUEL G.

Examiner

Van T. Trieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 5, 8, 10-14, 18-20, 22, 27-29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by **Friberg et al** [US 5,208,586].

Regarding claim 1, the claimed hazard notification system for monitoring a vehicle travel zone comprising: at least one monitoring device capable of detecting hazards in the vehicle travel zone (the ultrasonic position device 2 for detecting of vehicle 6 driving to a predetermined parking spot 24, see Figs. 1 and 4, col. 4, lines 41-68 and col. 5, lines 1-8); and at least one notification device operable to receive information transmitted by the at least one monitoring device and present the information to a driver (the alarm means 54 includes a red light 54 and an audible bell/horn 55 for notifying a driver that the vehicle 6 is located within the predetermined vehicle parking spot 24, see Figs. 1 and 2, col. 4, lines 26-40); and at least one activation device configured to enable operation of the system before a parked vehicle embarks through the vehicle travel zone (the remote control transmitter 92 is for remotely activate the ultrasonic position device 2, see Figs. 4D and 5, col. 7, lines 54-68 and col. 8, lines 1-2 and 41-45).

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Regarding claim 2, the claimed at least one monitoring device is configured to be connected with a first immobile object (the ultrasonic position device 2 is connected to a wall 10 of the garage, see Figs. 1-3).

Regarding claim 3, the claimed at least one notification device is configured to be connected with a second immobile object (the alarm light 54 and horn 55 are connected to the ultrasonic position device 2, see Fig. 1).

Regarding claim 5, the claimed at least one activation device is a motion detector (the photoelectric sensor for detecting opening of the garage door cause to activate the ultrasonic position device 2, see col. 8, lines 59-68 and col. 9, lines 1-2).

Regarding claim 8, the claimed at least one control device operable to supply power to the at least one monitoring device and the at least one notification device (the AC/DC power supply 88, 89, see Fig. 5, col. 7, lines 20-33).

Regarding claim 10, the claimed at least one activation device is configured to be in wireless communication device with the at least one control device (the radio frequency transmitter 92 is wireless communicating with the RF receiver 94 of ultrasonic position device 2, see Fig. 5).

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Regarding claim 11, all the claimed subject matters are cited in respect to claims 1-3 and 8 above.

Regarding claim 12, all the claimed subject matters are cited in respect to claims 1 and 11 above.

Regarding claim 13, all the claimed subject matters are cited in respect to claims 10 and 11 above.

Regarding claim 14, all the claimed subject matters are cited in respect to claims 5 and 11 above.

Regarding claim 18, all the claimed subject matters are cited in respect to claims 1 and 8 above.

Regarding claim 19, the claimed at least one notification device is located in front of the vehicle when the vehicle is parked in the garage, see Figs. 2 and 4D.

Regarding claim 20, all the claimed subject matters are cited in respect to claims 5 and 18 above.

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Regarding claim 22, the claimed at least one activation device is in wireless communication with the at least one control device (the radio frequency remote controller 92 is wireless transmitting to the ultrasonic position device 2, see Fig. 5, col. 7, lines 54-65).

Regarding claim 27, the claimed vehicle travel zone is a three dimensional area located proximate to a known location of the vehicle, see Figs. 2 and 4D.

Regarding claim 28, all the claimed subject matters are cited in respect to claim 1 above.

Regarding claim 29, the method claimed limitations are met by the apparatus claim 1 above.

Regarding claim 30, the method claimed limitations are met by the apparatus claim 1 above, and including the deactivating the monitoring device and the notification upon entry of a vehicle into the vehicle travel zone (the ultrasonic position device 2 and alarm means 53 are deactivated after the vehicle 6 is within the predetermined vehicle spot 24, see col. 8, lines 18-24).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 4, 6, 7, 9, 15-17, 21, 23-26 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Friberg et al** [US 5,208,586] in view of **Kolls** [US 6,615,186].

Regarding claim 4, **Friberg et al** fails to disclose the least one notification device configured to be connected inside a vehicle. However, **Friberg et al** teaches that the alarm means 54 having light 54 and horn 55 is located at the end wall 10 of the garage to be easily viewed or seen by a vehicle driver, see Figs. 1 and 2. **Kolls** suggests that an in-vehicle device 200 wirelessly receives parking proximity from a COM device 100 including a wireless transceiver 134, a parking proximity sensor 300 and a parking light 354. The in-vehicle device 200 includes LCD display 216, a speaker 230 and an alarm system interface 236 for alarming a driver of the parking proximity conditions over a wireless transceiver 258, see Figs. 1B, and 4, col. 7, lines 21-33 and col. 32, lines 51-52. Therefore, it would have been obvious to one skill in the art at the time the invention was made to implement the in-vehicle device of **Kolls** to the ultrasonic position device of **Friberg et al** for providing a higher effective of alerting the driver of the parking proximity conditions since the ultrasonic position device utilizes a radio frequency transmitter and receiver for remotely activating the ultrasonic position device.

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Regarding claim 6, **Friberg et al** fails to disclose the at least one notification device is a video display device. However, according to the combination of the in-vehicle device between **Friberg et al** and **Kolls** in respect to claim 4 above, wherein **Kolls** also discloses of the LCD display for displaying of video signal input to a driver, see Fig. 4, col. 29, lines 29-49 and col. 33, lines 10-40.

Regarding claim 7, **Friberg et al** fails to disclose the at least one monitoring device is a camera. However, according to the combination of the in-vehicle device between **Friberg et al** and **Kolls** in respect to claim 4 above, wherein **Kolls** also discloses of the COM device 100 includes a parking proximity and a camera 148, see Figs. 1B and 3. Therefore, it would have been obvious to one skill in the art at the time the invention was made to substitute the camera of **Kolls** for the ultrasonic position device of **Friberg et al** for providing a higher accuracy of parking proximity and presenting images of actual proximity distance to a driver captured by the camera during parking.

Regarding claim 9, **Friberg et al** fails to disclose the at least one control device is a transceiver. However, according to the combination of the in-vehicle device between **Friberg et al** and **Kolls** in respect to claim 4 above, wherein the COM device 100 and the in-vehicle device 200 of **Kolls** also includes RF wireless transceivers 134 and 258, see Figs. 1B, 3 and 4.

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Regarding claim 15, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 9 and 11 above.

Regarding claim 16, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 6 and 11 above.

Regarding claim 17, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 7 and 11 above.

Regarding claim 21, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 7 and 18 above.

Regarding claim 23, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 9 and 18 above.

Regarding claim 24, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claim 23 above, and further the transceiver, after being enabled by the at least one activation device, operates for a pre-selected period of time before automatically shutting down (if a vehicle 6 is detected in the predetermined vehicle spot 24, then the ultrasonic position device 2 and alarm circuits are shutdown after a predetermined time interval, see col. 8, lines 3-24).

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Regarding claim 25, the claimed pre-selected period of time is programmable (the timer 98, see Fig. 5, col. 8, lines 3-40).

Regarding claim 26, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 6 and 18 above.

Regarding claim 31, all the claimed subject matters are discussed between **Friberg et al** and **Kolls** in respect to claims 6, 7 and 30 above.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Yaron et al** discloses a sensing and indicating device is mounted at a fixed location and uses transmitted and reflected acoustic or electrical energy to determined distance between the sensor and an approaching vehicle to provide visual and/or audio indication to a driver. [US 6,163,253]

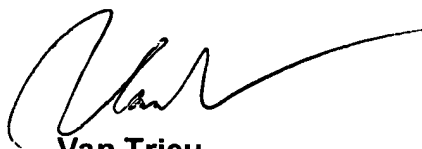
**Yoo et al** discloses a parking guidance and management system comprising of video camera for capturing images of a parking vehicle within a predetermined parking zone to alert a driver. [US 6,107,942]

**Yasui et al** discloses a parking assistance system is mounted in a vehicle comprising an image pick-up device with a single camera, an image processing device for producing 3D object on a display. [US 6,483,429]

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4. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 8/10/05**